

## Proposed Amendments to Specific Instructions, Form 10

The Specific Instructions for Form 10 are amended as follows:

### SPECIFIC INSTRUCTIONS - FORM 10

#### Form 10

An Application for Admission to Practice which, as prescribed by Rule 74(b)(1), ~~[shall]~~ **must** be completed and filed with the clerk of the court. The application ~~[shall]~~ **must** be ~~[substantially in the form set forth in]~~ **on Form 10, which can be obtained from the Office of the Clerk of the Court.** The application ~~[shall]~~ **must** include the name, the residential ~~[address,]~~ and ~~[the]~~ office address of the applicant, and the name and address of the applicant's employer, **among other essential contact information. Additionally, the application must include information pertaining to the applicant's bar admissions, good standing, and suspension and disbarment proceedings, if any.**

~~[The application must be filed with a \$50 admission fee. In addition to the fee, the applicant must file (1) the statement of the sponsoring attorney, who is a member of the bar of this court or of the bar of the Supreme Court of the United States, or in the alternative (2) a certificate of a judge or a clerk of any of the courts specified in Rule 75(a). This certificate shall state that the applicant is a member in good standing of the bar of that court.]~~

**An application may be made by (1) written motion or (2) oral motion. When the application is made upon written motion, it must be accompanied by a certificate of a judge or a clerk of any of the courts specified in Rule ~~[75(a)]~~ 74(a). The certificate must have been issued no earlier than 30 days prior to the date of the application and must state that the applicant is a member in good standing of the bar of that court.**

**When the application is made upon oral motion, the applicant must file ~~[(1)]~~ the statement of the sponsoring attorney, who is a member of the bar of this court or of the bar of the Supreme Court of the United States. In addition, if the sponsoring attorney has known the applicant for less than one year, the applicant must include a certificate of a judge or a clerk of any of the courts specified in Rule 74(a), which was issued no earlier than 30 days prior to the date of the application and which must state that the applicant is a member in good standing of the bar of that court. When the application is made by oral motion, the attorney is not admitted to the Court until a judge of this Court administers the oath specified in Rule 74(a).**

**The applicant is required to sign a declaration, under penalties of perjury, that the statements made by the applicant are true and correct, and to sign a similar declaration as part of the oath of admission. In instances where the applicant is outside the United States, in lieu of the foregoing declarations, as is provided for in 28 U.S.C. §1746, the applicant should substitute the following:**

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is correct.**

~~[If the applicant is present in a country in which a United States embassy or consular office exists,~~

~~U.S. consular officials are authorized to provide a service similar to the functions of a notary public in the United States.]~~

~~[A foreign notarized document also may be authenticated by a person authorized by the laws of a foreign country to make such an attestation. Such an attestation must be accompanied by a final certification as to the genuineness of the signature and official position of the attesting person by any Secretary of Embassy, Consul General, Vice Consul or Consul or agent of the United States, or a diplomatic or consular official of the foreign country assigned or accredited to the United States, or apostille of an official designated by a foreign country which, by treaty or convention, accords like effect to apostilles of designated officials in the United States.]~~

(As amended July 23, 1993, eff. July 23, 1993; Mar. 25, 1998, eff. July 1, 1998; Nov. 29, 2005, eff. Jan. 1, 2006) \_\_\_\_\_, **eff. \_\_\_\_\_, 2007.**)

#### **ADVISORY COMMITTEE NOTE**

The changes are necessary to reflect the contemporaneous amendments made to Form 10, to highlight certain key provisions of the new application form, and to emphasize the circumstances under which a certificate of good standing regarding the applicant must be attached to the application.